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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,244

01/21/2004

Kia Silverbrook

RRA12US

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07/07/2006

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

GARCIA JR, RENE

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,244

Applicant(s)

SILVERBROOK, KIA

Examiner

Rene Garcia, Jr.

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 6,158,850) in view of Childers et al. (US 6,322,205).

Cook disclose the following claimed limitations:

- *regarding claim 1, printer cartridge/**cartridge assembly, 10/** for an inkjet printer/**11/** including: (fig. 1; col. 5, lines 41-54)
 - *ink storage reservoir/**base ink reservoir, 20/** (fig. 1)
 - *printhead/**13/** in communication with said ink storage reservoir/**20/** (fig.1; col. 5, lines 55-57)
 - *refill port/**ink passage, 16/** (fig. 1) in communication with the ink storage reservoir/**20/** and arranged to receive refill ink/**ink reservoir, 18/** for replenishing the ink storage reservoir/**20/** (fig. 1; col. 5, line 65 – col. 6, line 5)
 - *integrated circuit assembly/**memories, 28 & 30/** (fig. 1; also includes printer electronics/**27/** and microprocessor/**36/** - col. 6, lines 30-38 & col. 8, lines 15-26) arranged to store information relating to the properties of at least one of the refill ink/**ink reservoir, 18/** and the ink stored in the ink storage reservoir/**base ink reservoir, 20/** (col. 7, lines 25-35)

Art Unit: 2853

*regarding claim 2, information relating to the properties of the refill ink/**18/** or the ink stored in the ink storage reservoir/**20/** includes any of:

*amount of ink remaining in the ink storage reservoir/**20/** (fig. 1; ink level sensor/**38/** - col. 8, lines 59-61)

*origin of the refill ink/**18/** (col. 7, lines 41-52 & col. 9, lines 21-27)

*rheological/**formation of ink supply/** properties of the refill ink/**18/** (col. 9, lines 21-27)

*color of the refill ink/**18/** (col. 7, lines 19-21 & col. 8, lines 22-26 & col. 9, lines 21-27)

*regarding claim 3, integrated circuit assembly includes an electrical contact mounted upon the inkjet printer/**11/** for connection with an integrated circuit of a refill cartridge/**secondary tank, 12/** containing the refill ink/**18/** (col. 6, lines 30-38 & col. 8, lines 27-37)

Cook does not disclose the following claimed limitations:

*regarding claim 1, ink storage reservoir at least partially defined by a collapsible membrane for sealed storage of ink

*printhead in sealed fluid communication with said ink storage reservoir

Childers et al. discloses the following:

*regarding claim 1, ink storage reservoir/**fluid reservoir, 22/** at least partially defined by a collapsible membrane for sealed storage of ink (fig. 1 and 12; col. 4, lines 2-12; col. 4, lines 51-60; fig. 11A & 11B; col. 8, lines 18-27) for the purpose of aiding in the flow of fluid from ink container to the print head

*printhead in sealed fluid communication with said ink storage reservoir (fig. 1; col. 7, lines 35-41, lines 47-50, lines 59 – col. 8, line 4) for the purpose of providing proper fluid flow between ink container and print head

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize an ink storage reservoir at least partially defined by a collapsible membrane for sealed storage of ink; and a printhead in sealed fluid communication with said ink storage reservoir as taught by Childers et al. into Cook for the purposes of aiding in the flow of fluid from ink container to the print head; and providing proper fluid flow between ink container and print head.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 6,158,850) as modified by Childers et al. (US 6,322,205) as applied to claim 1, and further in view of Waller et al. (US 6,250,738).

Cook as modified by Childers et al. disclose all of the claimed limitation except for the following:

*regarding claim 4, printhead is a pagewidth printhead

Waller et al. disclose the following:

*regarding claim 4, printhead is a pagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize printhead as a pagewidth printhead as taught by Waller et al. into Cook as modified by Childers et al. for the purpose of printing one or more lines at a time.

Response to Arguments

4. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection. Cook (US 6,158,850) in combination with Childers et al. (US 6,322,205) teaches an ink storage reservoir with a collapsible membrane for storage of fluid and integrated circuit for storing information related to properties of the print head.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

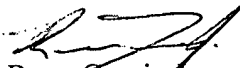
Art Unit: 2853

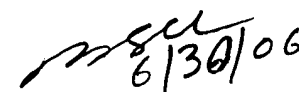
Communications with the USPTO

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Rene Garcia Jr
06/06


MANISH S. SHAH
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 10/760,244	Applicant(s)/Patent Under Reexamination SILVERBROOK, KIA	
	Examiner Rene Garcia, Jr.	Art Unit 2853	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,322,205	11-2001	Childers et al.	347/85
*	B	US-5,745,137	04-1998	Scheffelin et al.	347/85
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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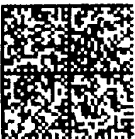
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